

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA



<b>D. G. Sweigert, Plaintiff</b>	<b>PRO SE</b>
<b>-against-</b>	<b>1:23-cv-01228-JRS-MG</b>
<b>Jason Goodman,</b>	<b>Judge James R. Sweeney II</b>
<b>21<sup>st</sup> Century 3D</b>	<b>Magistrate Judge Mario Garcia</b>
<b>CrowdSource The Truth</b>	
<b>Defendants</b>	

**SUPPLEMENTAL COMPLAINT EVIDENCE  
AKA REQUEST FOR JUDICIAL NOTICE**

The *pro se* Plaintiff (undersigned) files these papers to augment and supplement the original complaint, ECF no. 1, 07/12/2023. Federal Rule of Evidence 201(b) permits a court to take judicial notice of an adjudicative fact that is “not subject to reasonable dispute” because it is generally known within the trial court’s territorial jurisdiction or can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

Signed September 11, 2023 (9/11/2023)

A handwritten signature in black ink, appearing to read "D. G. Sweigert".

**D. G. SWEIGERT PRO SE PLAINTIFF, C/O  
1522 Vance Avenue  
Fort Wayne, Indiana 46805**

## DOCUMENTS ATTACHED

### ONE

Request the Court take notice as a fact that Nintendo possesses a trademark property right for “downloadable image files containing artwork, text, audio, videos relating to video games” related to SUPER MARIO.

**U.S. Patent and Trademark Office**, Reg. No. 7,070,501, Super Mario, Nintendo of America Inc.

NOTE: CLASS 9: Recorded electronic game programs; downloadable electronic game programs; recorded video game programs; downloadable video game programs; video game cartridges; memory cards for video game machines; cases for smartphones; covers for smartphones; recorded computer game software; downloadable computer game software for use on mobile and cellular phones; downloadable image files containing artwork, text, audio, videos relating to video games; downloadable music files; downloadable electronic publications, namely, fiction stories, booklets, manuals and newsletters in the field of video games; headphones; earphones; batteries. [emphasis added]

### TWO

Request the Court take notice of YouTube channels known as CrowdSource The Truth 8, CrowdSource The Truth 9, and Ghost Town NYC which includes a listing of recent social podcasts that uses images related to the trademark in question.

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Signed September 11, 2023 (9/11/2023)



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**CERTIFICATE OF SERVICE**

**It is hereby certified under the penalties of perjury that a true copy PDF file has been sent via e-mail message to the following:**

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Jason Goodman, sole stockholder of MULTIMEDIA SYSTEM DESIGN, INC.

[truth@crowdsourcethetruth.org](mailto:truth@crowdsourcethetruth.org)

And

[Georg.webb@gmail.com](mailto:Georg.webb@gmail.com)

Certified under penalties of perjury. Signed this 11<sup>TH</sup> day of September, 2023 (9/11/2023).

A handwritten signature in black ink, appearing to read "D. Smyth".

**PRO SE PLAINTIFF**